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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Third periodic reports of States parties

Addendum

UKRAINE

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I. INTRODUCTION

1. In 1991, following the proclamation of independence, the State of Ukraine came into being as the fifth largest European State. Ukraine has a population of 52.1 million, with women accounting for 53.6 per cent. Among the elderly population in some regions the ratio of women to men is about 2:1. There are many single women pensioners, most of them living in rural areas.

2. The means of resolving the "women's question" throughout the 70-odd years of Soviet power were just as contradictory as the historical reality itself. And today, when the processes of perestroika and democratization posit the need to reassess the country's history and map out the avenues of its further development, this problem also demands close attention and serious critical analysis.

3. In the conditions of transition to a market economy it is necessary to create at the national and local levels strong and effective social support for the population, especially workers with family responsibilities. In recent years Ukraine has enacted and implemented a full set of social and economic measures to improve the working and living conditions of women, to protect mothers and children, and to support families with children.

4. A long-term programme for improvement of the situation of women and the family and protection of mothers and children was drawn up and is being carried out, an Act on State benefits for families with children has been adopted, etc.

5. At present, priority in social policy to improve the situation of women is being given to radical changes in the conditions of the vital activity of working mothers and to improvement of State protection of families with children.

II. REPRESENTATION IN THE DISTRIBUTION OF POWER AND IN DECISION-MAKING AT ALL LEVELS

6. In accordance with the Constitution, all citizens of Ukraine have the right to participate in the management of State and social affairs and in the discussion and adoption of laws and decisions of nation-wide and local scope. Women are accorded equal rights with men in participation in the political and social life of the State. This right is guaranteed by the right to elect and to be elected and to take part in national debates and voting (referendums), in the work of State organs, public bodies and voluntary social organizations, and in assemblies of labour collectives in the area of residence.

7. According to the 1989 census, women accounted for 52.2 per cent (44.9 per cent in 1979) of senior officials in the State administration and its structural subdivisions (primarily at the middle level) and for about 25 per cent of heads of enterprises and organizations and their structural subdivisions (industry, construction, agriculture and forestry, transport and communications); the same proportion of women was found among the heads and managerial staff of branches of State farms and heads of State farms; about

53 per cent of the heads of teaching institutions were women. Three out of every four managers of shops and heads of commercial organizations were also women.

8. The proportion of women deputies in organs of State power has remained constant for several decades at about 50 per cent in local councils of people's deputies and at a little over a third in the Supreme Council of Ukraine.

9. However, the experience of elections under conditions of perestroika showed that the large numbers of women deputies in organs of State power and soviets of people's deputies did not reflect the true role of women in social and political life but were significantly inflated by women seconded from superior elective bodies and party organs (a sort of quota system which was not authorized by law). The discontinuation of such quotas and the people's ability to make a genuine choice among several candidates sharply changed the picture.

10. Women lost their majority of seats in the 1990 elections to local councils in multi-member electoral districts. There were 234 women deputies (35.9 per cent) in the previous Supreme Council of Ukraine. However, women constituted only 2.9 per cent of the 450 deputies elected in 1990. Nor did the situation undergo much improvement in 1994. There were only 12 women among the 338 deputies elected to the Supreme Council. Most of the women deputies are doctors, teachers and senior agricultural officials.

11. Women from deported nationalities are involved in political life. According to the law governing elections to the Supreme Council of the Republic, the Crimea sets aside 18 parliamentary seats for representatives of deported nationalities, including 14 seats for the Crimean Tartars. A woman, Mrs. L. R. Budzhurova, was elected to one of these seats as a member of the Madzhlis of the Crimean Tartar people. A person of Crimean Tartar nationality, Mrs. A. Sent-Umer Kyzy, was appointed adviser to the President of the Republic of Crimea on foreign and inter-nationality affairs.

12. At present no women hold positions of executive power in Ukraine. As far as other senior ministerial positions are concerned, there are six women deputy ministers (Ministries of Labour, Social Security, Statistics, the Economy, Justice, Health). The number of women heads of department and section in the Cabinet of Ministers of Ukraine and in the ministries has increased. On the whole, the numbers of young women in the Government apparatus have risen. A unit on women's affairs and protection of the family, mothers and children was established in the Cabinet of Ministers in 1993.

13. There have never been any women ambassadors of Ukraine. There are 36 women diplomats (14 per cent of the total) working in the central apparatus of the Ministry of Foreign Affairs.

14. Perestroika cast light on many things which had remained as if unnoticed for many years and it brought forward new and no less difficult problems.

III. WOMEN'S RIGHTS AND THE STATE MACHINERY FOR ASSISTING FAMILIES WITH CHILDREN

15. The principle of the equality of men and women is stated in the Constitution of Ukraine. It guarantees women equality of opportunity in education, vocational training, the right to work, remuneration for work, professional advancement, social-political and cultural activities, etc. Special legislation defines the job-security rights of women, the conditions have been established to enable women to combine work with motherhood, and legal protection exists for the material and moral support of mothers and children, including paid leave for pregnant women and for mothers caring for their children and the gradual reduction of working hours for women with young children.

16. The provisions of the Constitution are reflected in the corresponding legislation, including the Code of Labour Laws. This Code prohibits women from performing heavy or hazardous work. The executive organs have approved a list of industries, occupations and jobs defined as heavy or hazardous in which the use of female labour is prohibited, and standards have been established for the maximum permissible weights to be manually lifted or carried. According to these standards, loads carried (up to twice an hour) in alternation with other work must not exceed 10 kg; when the carrying is continual throughout a shift the limit is 7 kg. The total weight lifted and carried during each hour of a shift must not exceed 350 kg from a working surface or 175 kg from the floor.

17. Night-work by women is restricted, except for the branches of the economy in which there is a special need for female labour.

18. The labour legislation contains specific legal standards regulating work by women during the period of active maternity. Pregnant women and women with children aged under three years may not work overtime or on rest days, nor may they be sent on trips in connection with their work. Women with children under 14 or disabled children may not be required to work overtime or be sent on trips without their consent.

19. Production or service norms are reduced for pregnant women on presentation of a medical certificate. During such periods women must be transferred to other lighter work where no harmful production factors pertain, with retention of their average pay for the previous work. These benefits are also extended to women with children aged under three.

20. Women may not be refused employment or have their pay reduced for reasons connected with pregnancy or the feeding of their children. Employers are not entitled to dismiss on their own initiative pregnant women, nursing mothers or women having children under 14, except in the event of the complete termination of the enterprise, institution or organization concerned. In such circumstances the dismissal of women with guaranteed employment status is permitted.

21. In accordance with the law, women are entitled to 70 calendar days of pregnancy and childbirth leave.

22. Working women also receive partially paid child-care leave until the child's third birthday. If her child requires care at home, a woman may be granted, at her request, additional unpaid leave of a duration specified in the medical certificate but not extending beyond the child's sixth birthday. Periods of partially paid child-care leave up to the child's third birthday and of additional unpaid child-care leave up to the child's sixth birthday are included in the woman's total length of service and length of uninterrupted service, as well as in her length of service as a specialist.

23. Working women are entitled to breaks of at least 30 minutes each at least every three hours to feed their children, and if a woman has two or more children aged under 18 months, each break must be of at least one hour.

24. The law provides for payment of benefits to working mothers in respect of temporary inability to work owing to the need to care for a sick child aged under 14, but for not more than 14 calendar days and provided that the mother remains with the child in the hospital for the duration of the child's stay. The amount of the benefit is determined on the basis of the mother's length of service and the amount of her pay but it may not be lower than the minimum wage.

25. Working women with two children under the age of 12 are granted an additional three days of paid leave (the total leave must not exceed 28 calendar days). They also have a priority right to leave during the summertime and additional unpaid child-care leave of up to two weeks.

26. A woman who adopts a newborn child directly from the maternity hospital is granted paid leave according to the existing scale of childbirth benefits from the day of adoption up to the fifty-sixth day from the birth of the child. Adoptive mothers are entitled to child-care leave for the same periods as mothers bearing their own children.

27. A shorter working day or week may be arranged by agreement between a woman and her employer either at the time of recruitment or during employment. At the request of a pregnant woman or a woman with a child aged under 14 or a disabled child, including any child in her guardianship, who is caring for a medically certified sick family member, the employer must arrange a shorter working day or week for her. In such circumstances her pay is proportional to the time worked or her output.

28. The State provides material assistance to mothers raising children. A child-care benefit for children aged under three is paid to employed women, to women studying on a work-release basis, and to women registered with the State employment service in the amount of 100 per cent of the minimum wage regardless of length of service, and to non-working women in the amount of 50 per cent of the minimum wage.

29. The State also provides assistance to poor families with three or more children, single mothers, children in care or under guardianship, and families with children aged under 16 whose average per capita income is lower than the total level set by the State.

30. All women regardless of their employment status are entitled to a standard or preferential pension. In accordance with the established rules, women retire on a pension at age 55 provided that they have at least 20 years' service.

31. A preferential pension is granted to:

- Women employed in especially hazardous and especially heavy work - at age 45, provided that they have at least 15 years' service, including at least seven and a half years in such work;

- Women employed in other hazardous or heavy work - at age 50, provided that they have at least 20 years' service, including at least 10-15 years in such work;

- Women who have given birth to five or more children and raised them up to the age of eight years, and mothers of children disabled from infancy who have raised them up to that age are entitled to a pension at age 50 when they have at least 15 years' service. In accordance with the legislation, periods of child care are included in the length of service.

IV. MONITORING OF THE OBSERVANCE OF LEGISLATION AND PROVISION OF PUBLIC INFORMATION

32. Ukraine has a system of organs monitoring observance of the constitutional rights of women. The main such organ is the Supreme Council's Commission on Women's Affairs and Protection of the Family, Mothers and Children. The Commission has three subcommissions: on questions of women's work and everyday living conditions, on protection of the family and mothers, and on children's health and rights. The Commission sees its strategic task as to do everything possible to implement the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child; it takes an active part in the legislative process and monitors the application of the legislation in force.

33. During the lifetime of the twelfth Supreme Council (March 1991 to March 1994) reports were heard at 14 meetings of the Commission (out of 137) from members of the Government and heads of ministries and departments. Ten of the 206 items taken up concerned monitoring the implementation of the laws and decrees of the Supreme Council on questions falling within the Commission's competence. Appropriate decisions and recommendations are adopted on the questions discussed and then submitted to the Cabinet of Ministers for its reaction. The Commission's recommendations are subject to mandatory examination by State and public organizations, institutions and departments.

34. For example, the Commission considered the question of the social protection of large families during the transition to a market economy. Summaries of the proceedings and the proposals were transmitted to the Cabinet of Ministers. As a result the Government adopted a decree on the social protection of large families.

35. In view of the demographic situation in Ukraine and the trend towards a lower birth rate, the Commission considered the question of family planning. On its recommendation, the Ministry of Health in conjunction with the Ministry of Education and scientific research institutions drew up a State family planning programme and submitted it for economic verification and approval.

36. In February 1991 the Presidium of the Supreme Council of Ukraine considered information from the Commission on immediate measures for improvement of the situation of women, protection of mothers and children and strengthening of the family. Pursuant to a decision of the Presidium, the Cabinet of Ministers adopted a decree in July 1992 on a long-term programme for improvement of the situation of women, the family, mothers and children.

37. The Commission is in constant communication with local organs of executive power, public organizations and individual citizens, monitors the implementation of legislation and studies the reaction to it of various population groups. People's deputies and members of the Commission's secretariat make local visits to study the situation. Two conferences and two seminars on issues of women's rights have been held with a view to discussion of local proposals and their incorporation in the legislative work.

38. Trade unions play a specific role in the protection of the constitutional rights of women. They supervise and monitor observance of the legislation on women's work by means of an extensive technical and legal inspectorate of trade unions and special commissions operating at all levels of trade-union bodies.

39. The General Procurator of Ukraine and his subordinate procurators are responsible for the ultimate supervision in the territory of Ukraine of observance of the constitutional rights of women (and indeed of all citizens) by ministries and departments, enterprises and institutions, cooperatives, public organizations and officials. Accordingly, the legal protection of all citizens on an equal basis is established by law in Ukraine.

40. Today's agenda includes the implementation of the laws and other legislation, the reform of organs of legal protection, in particular the whole machinery of the courts, and of the procurator system. Significant changes have taken place in recent years in the legislative basis of this system, and its structure has been reorganized. This is an important step towards the creation of a State based on the rule of law and towards full exercise of human rights.

41. The Ministry of Labour, the Ministry of Justice, the Ministry of Finance, the Ministry of the Economy and other ministries keep the people constantly informed about the laws and decrees adopted by the Cabinet of Ministers. This includes the monthly publication of the information bulletins People and Work and Social Protection and of special newspapers and compendiums in which the laws of Ukraine, the decisions adopted on social issues, and other provisions and instructions are published. Special radio and television channels provide information about citizens' rights. New laws and any changes in existing laws are commented on by experts on all the information channels. During the period of introduction of a new law, advisory expert groups work in the government departments concerned.

42. Nevertheless, and this is borne out in particular by letters from citizens to various governmental bodies, the standard of legal knowledge of the people of Ukraine, including women, stands in need of considerable improvement. At the present stage of democratization of public life and of the building of a State based on the rule of law, there is a need for a nation-wide programme of education and information about legal matters.

43. Such a programme will shortly be drawn up on the basis of the recommendations of the International Congress on Education for Human Rights and Democracy (Montreal, March 1993). The fundamental concepts of Ukraine's policy for protection of human rights are currently being elaborated.

44. In real life women are not always able to exercise their rights and compete for jobs and promotion on an equal footing with men, sometimes owing to their material situation (see information in following chapters). Another factor is the inadequate knowledge of the people of Ukraine about women's rights in the world at large and the means of securing exercise of them. Only in the past two years has action been stepped up in these areas.

V. POVERTY

45. The worsening of the economic crisis during the transition to a market economy has led to a significant decline in the people's standard of living. Part of the population has fallen below the poverty line and needs assistance.

46. The State has adopted a number of measures on the social protection of the population, including needy citizens. The recent period has seen the introduction of individual mechanisms based on laws and regulations. The minimum wage and the pension are periodically increased, the extent of the assistance provided under the legislation on State benefits for families with children is reviewed, and additional special-purpose cash payments are introduced in response to increases in retail prices, utility tariffs, etc.

47. In 1992 the State established a poverty line and has since been providing material assistance to citizens unfit for work whose incomes are below this line. Such assistance is currently being received by some 1.5 million people, two thirds of them women. These are elderly people living alone, the disabled, and people with serious illnesses.

48. The social services also provide assistance with the running of households and performance of other urgent tasks for sick citizens who live alone and need care. There are currently 1,337 units providing such assistance to more than 400,000 people. In addition, 278 residential facilities have been established for elderly single people; more than 50,000 such people, including 29,000 women, live in these facilities.

49. Special assistance for the poor is also provided by local authorities from their own budgets and by enterprises and organizations from consumption funds. These funds provide goods at preferential prices and assistance to peasants in working their plots, as well as material assistance for poor citizens, preschool institutions, etc.

50. However, the existing system of social assistance for poor families has not always proved effective in practice. Many families, especially families with many children or single parents, currently have low incomes and lack the minimum means of subsistence. This is one of the causes of the decline in the birth rate. A natural population decline is taking place in Ukraine, and the demographic situation deteriorates every year.

51. The decline in the people's standard of living under conditions of economic instability and inflation is making family well-being increasingly dependent on wives' earnings and is compelling women not only to work longer to earn income but also actively to seek second jobs. The closure of enterprises and cut-backs in output are causing worker redundancies, primarily among women, thus making their situation even worse.

52. The use of the journalistic term "the female face of unemployment" is not a figurative exaggeration. Unemployment has primarily affected women, for they accounted for 75 per cent of the total unemployed at the beginning of 1994. More than 65 per cent of the persons made redundant from enterprises, organizations and institutions as a result of the reorganization of production and staff cut-backs are women. The people who remain unemployed are often white-collar workers mostly having higher, uncompleted higher or secondary education. More than 50 per cent of them have been thrown on to the job market as a result of staff cut-backs in connection with changes in forms of ownership or management. Unemployment among women employed in scientific research and planning institutions has also increased as a result of the lack of stable volumes of work. In addition, there is a steady growth in the number of workers made redundant as a result of reorganization and reduction of production and its modernization, or changes in the type of activity.

53. In order to alleviate unemployment among women, a plan has been drawn up for an array of measures which can be divided into two groups. The first group consists of preventive measures aimed at the rationalization of women's work. They are being implemented at the State level on a long-term basis and will not produce results for several years. The second group consists of emergency measures based on an active labour-market policy and designed to combat today's very real unemployment among women by addressing their standard of vocational qualification and their opportunities for retraining and re-employment in specific jobs.

54. In recent times the needy citizens of Ukraine have been receiving considerable assistance from public associations, international organizations and voluntary organizations from various countries, as well as from commercial enterprises. For example, one public organization - the Union of Ukrainian Women - is working vigorously to provide assistance to women who collaborate with the organization and apply to it for help, as well as to large and needy families.

55. The Union of Ukrainian Women is an association of women's voluntary organizations. It has the largest membership of such associations in Ukraine and includes women representatives from all regions. The staff of the Union's administrative bodies and local organizations in labour collectives and

residential areas alone includes some 500,000 elected activists who work without pay on a voluntary basis.

56. The Union's purpose is to achieve genuine equality of rights between men and women and the social protection and material support of women. To this end the Union has established a newspaper I, You, We and a study centre for the retraining of women, the teaching staff of which also includes foreign specialists. Women are also helped to set up their own businesses - small enterprises and family and individual firms. The Union promotes the creation of new jobs and the organization of home work for women. Organizations of the Union of Ukrainian Women at all levels and the enterprises which they have established provide assistance to the needy and engage in charity work.

57. The system of economic measures of social policy designed to make it easier for women to combine production work with motherhood attaches special importance to extending the network of preschool institutions and improving the educational work carried on in them. This also represents material assistance to families, since many parents make only a small payment for this service.

58. As of 1 January 1994 there were 23,000 such institutions in Ukraine, with an attendance of 2.1 million children of preschool age (47 per cent of all children of that age). The number of children attending these institutions was 500,000 lower than in 1985. This was due to the extension of the period of partially paid child-care leave for mothers up to the child's third birthday and also to the shortage of such institutions in some areas.

59. For many years some regions have been experiencing an acute problem in providing places for children in kindergartens near their homes. In 1993 more than 83,000 applications by parents could not be satisfied. As a result it is impossible for many families, and in particular mothers, to exercise the right to work, and this in turn reduces their earned incomes.

60. The problem of payment by parents for their children's attendance at preschool institutions is also growing worse, especially in the case of parents who do not work in enterprises equipped with child-care facilities. They have to pay the actual cost of their children's attendance, and this is often beyond their means.

61. However, new kindergartens are being built in Ukraine and the educational work is being improved. New types of kindergartens are being opened - institutions specializing in artistic education or physical culture, groups which children attend for fewer hours, and walking and exercise groups.

62. Fee-paying preschool institutions have been opened for children needing physical or psychological treatment. There are now more than a thousand of them.

VI. ACCESS OF WOMEN IN SPECIFIC AREAS OF THE ECONOMY

63. Ukraine has about three million hectares of land in use by the people. The average collective-farm family has 0.42 hectares of sowing area, and families of white-collar and blue-collar workers 0.14 hectares, including persons living in rural areas - 0.25 hectares, and in the towns - 0.6 hectares. The Land Code stipulates equal land-use rights for men and women. As a rule, families have equal plots of land regardless of whether the family head is a man or a woman. Exceptions are made only when the family cannot for some reason physically work the plot allocated to it.

64. In Ukraine 44 per cent of the population lives in State housing, i.e. roughly one in every two citizens, and about 6 per cent of the population has cooperative housing, living in apartments belonging to collective enterprises or public organizations. There are no restrictions on women with respect to obtaining State housing or building private or cooperative housing.

65. In rural areas most of the homes and associated outbuildings are in private ownership. There are no special restrictions on the constructions or acquisition of private housing by women. However, families headed by women and single women are in a less advantageous position in view of the high cost of building materials and services.

66. In the present initial stage of the reforms and in the difficult conditions of shortages and imbalances in traditional economic relations, lower living standards, increased crime and other negative factors in social life it is proving impossible for many women to take their place in the processes of distribution and redistribution of resources, and therefore they have been unable to take an active part in the fundamental processes of privatization and commercialization of various forms of ownership. But profit and the ways of making profit are today becoming the main formative factor in Ukrainian society. Present conditions have produced a decline in political activity by women. Confusion about and often indifference to what is happening in the country, the lack of solidarity and organization, and the lack of trust in the State are characteristic features of women's attitude to what is taking place in society. However, it must be remembered that the processes of privatization of State ownership are at an initial stage, and that legislative provision has been made for various privatization arrangements accessible to all the country's citizens.

VII. ACCESS TO EDUCATION, HEALTH AND JOBS, AND OTHER MEANS OF EDUCATING WOMEN AS FULLY AS POSSIBLE ABOUT THEIR RIGHTS AND THE USE OF THEIR OPPORTUNITIES

A. Education

67. The main goals in education are to ensure universal literacy and implement the new education programme. According to the 1989 census, 93.2 per cent of the population over the age of 15 are literate. Sixty-nine per cent of specialists with higher and secondary education working in the national economy are women. A higher proportion of women is found among students in institutes of higher and technical education. Almost 10 per cent of the female population over the age

of 15 are illiterate. These are mainly women who for understandable reasons have been unable to obtain education (physical problems, serious chronic illnesses, etc.).

68. The most important condition for the emergence of an independent democratic Ukraine is the guarantee of the free development of education and culture for all citizens regardless of sex or nationality. There are no legal or administrative obstacles to women in Ukraine's education system. Co-education is the rule in virtually all of Ukraine's education institutions from the preschool to higher levels.

69. Women make a considerable contribution to the science of teaching. About 50 per cent of the 11,000-strong teaching staff of teacher-training institutes are women; this includes 44 doctors of science (professors) and 1,454 candidates of science (lecturers).

70. As part of the development of democratic processes in society, the Education Act and the State programme entitled "Education: Ukraine 20th century" specify the strategic directions of the development of education over the next few years, including out-of-school work with children and students. The main aims are to provide guidance for personal development in creative self-realization, to enable children and young people to acquire additional knowledge, skills and habits according to their interests, and to encourage their mental and spiritual development.

71. The process of increasing the network of State out-of-school institutions is not yet completed. There were 1,360 such institutions in the system of the Ministry of Education in 1980; in 1985 there were 1,427, in 1990 - 1,524, and in 1993 - 1,645. There has been a corresponding increase in the number of children attending group activities and clubs: in 1980 - 0.8 million, in 1985 - 1.3 million, and in 1993 - 1.6 million. The out-of-school institutions include more than 800 palaces and creative centres for children and young people, 324 technical creativity centres, and 77 young tourist centres.

72. There has also been a steady increase in the number of schools providing education in the arts (from 1,200 in 1980 to 1,600 in 1993), and in the number of children and young people attending them (from 286,000 to 393,000 respectively). Moreover, in 1993 there were 1,500 sports schools for children and young people with an attendance of 613,000.

73. The out-of-school institutions operate throughout the day with no rest days and thus provide opportunities for students to fit group activities in with their school timetable and for mothers to work while still carrying out their creative plans, enhancing their vocational skills and cultural standards, and solving the problems of making material provision for their families.

74. In accordance with the Law of Ukraine on education, arrangements are being made to cater to women's interest in constantly improving their education and qualifications, extending their vocational knowledge, obtaining further qualifications, including specialities, and improving their knowledge of science. Ukraine has more than a thousand vocational-technical schools, 380 industrial training centres, about 80 further-training institutes and 57

special faculties where women can obtain further qualifications and new specialities or occupational skills in accordance with the demands of the labour market. The most popular subjects are economics and business management, marketing, computer programming, and monitoring and analysis of economic activities.

75. Women acquire their improved vocational qualifications under long-term study programmes (up to four months), with study leave granted, as a rule, every five years. During such periods of study they still receive their pay from their place of work, and the cost of their study is met from the State budget, from the resources of enterprises and organizations, regardless of their form of ownership, or from individuals' private resources.

76. In 1993 women accounted for 60 per cent of the 600,000 specialists who underwent retraining and obtained higher qualifications in postgraduate institutes of higher education. Almost 1.3 million women (35 per cent of the total number of students) retrained in new occupations.

77. However, there are some restrictions on women who wish to qualify in certain occupations and specialities. For example, by governmental order girls are not allowed to enrol in the translation departments of language schools. And rights are not always equal in respect of the training of administrators and managers for government services, enterprises and institutions. This is one of the reasons for the poor representation of women in the Government. Even in the education system, where 74 per cent of the total teaching staff are women, fewer than 43 per cent of heads of secondary schools are women.

B. Health and family planning

78. Analysis of the current demographic situation and of its dynamics over recent years shows that, in addition to its social and economic difficulties, Ukraine is also confronted by serious demographic problems which have far-reaching negative effects. However, the demographic crisis is less tractable and harder to manage than the economic crisis. Over the past three to five years Ukraine has joined the lowest rankings in the international comparison of the basic indicators of natural population change - birth rate, death rate, and natural increase. In 1993, for the first time, the amount of the natural decline in Ukraine's population since 1991 exceeded the positive balance of migration for the whole country.

79. The structure of the causes of mortality is changing, showing an increase in deaths from infectious and parasitic diseases. The number of deaths related to people's state of health is growing. In the first six months of 1993 alone the numbers of murders and suicides increased respectively by 18.2 per cent and 8.7 per cent in comparison with the same period in 1992, and deaths from alcohol poisoning increased by 31 per cent.

80. The proportion of chronic and degenerative diseases has also increased in recent years. Ukraine has a large number of alcoholics and drug addicts. Abuse of tobacco products is also a source of concern.

81. As a result of the uncertainty of social, political and economic prospects the birth rate is falling and people are deciding not to have a second or third child or putting off such births until better times, and marriage itself is being delayed. For example, in 1993 registered births in Ukraine declined by 7 per cent over 1992, and the overall fertility rate fell from 1.9 in 1990 to 1.6 in 1993, and in the towns from 1.7 to 1.5. Such a birth rate does not even guarantee the reproduction of the population.

82. Decisions not to have children are taken both at the stage of making plans for a family and after conception by means of termination of pregnancy. The lack of a family planning service in earlier years (this service has been introduced in Ukraine only in the past five years) meant that the basic means of regulating births up till now has been abortion - an operation which according to the World Health Organization leads to direct "demographic losses".

83. Right up until recent times the official statistics in Ukraine were recording 800,000 to 900,000 operations to terminate pregnancy. For many years now the annual number of abortions has been 1.5 times higher than the number of registered births. Although in the developed countries the new methods of contraception quickly supplanted abortion, finally reducing it to very low levels, in Ukraine the traditional curettage remains the most accessible and widely used method of birth control.

84. The termination of unwanted pregnancies, especially the first one, often leads to serious complications which are sometimes irreversible: infertility, inability to carry pregnancy to term, inflammation of the female genitalia, benign and malignant tumours of the mammary glands and genitalia, and complications in pregnancy and childbirth. In 60 per cent to 80 per cent of cases, abortion is the cause of secondary infertility in women and extra-uterine pregnancy. It is particularly worrying that one out of every 20 women having an abortion is terminating her first pregnancy.

85. As already pointed out, modern means of contraception have made little inroad against abortion in Ukraine. Until recently the most widely used methods were condoms and caps, chemical substances or combinations thereof, with a success rate of 30 per cent to 90 per cent - not high enough to prevent unwanted pregnancies and abortions.

86. The disaster at the Chernobyl nuclear power station had a great impact and led to changes in the structure of methods of birth control and to increased use of more effective contraception. The consequences of the disaster changed the natural order of demographic processes and prompted the redirection of reproductive behaviour towards a lower birth rate and improved means of achieving it. In recent years the radiation in Ukraine has led to a fundamental and adverse transformation in the basis of the reproduction of future generations and renewal of the nation. In 1987 in the areas of strict radiation monitoring there were 2.2 times more miscarriages, 2.6 times more children born with deformities, 1.9 times more perinatal deaths and 1.5 times more child deaths than in 1985.

87. As a result of such developments in these areas in the post-disaster period, there was some decline in the birth rate, especially in 1987 when it

reached only 30 per cent of the 1986 level. The most prominent trends in the demographic behaviour of the people of Ukraine during this period were decisions not to have or to defer having another child.

88. In these circumstances means of contraception were required to prevent both the birth of further children and, more importantly, the birth of children with defects. The frequency of the use of modern contraceptives was higher in 1993 than in 1987 by a factor of four (219 per 1,000 women of child-bearing age), and in 1985 by a factor of eight. Quite definitely, insufficient use is made of the hormonal method of contraception owing to the people's ignorance of its benefits and an unjustified exaggeration of the risks of hormonal contraception due to ignorance on the part of the younger generations. In addition, even the informed members of the populace do not have access to the long-term modern means of contraception or to the traditional ones - condoms and caps and intra-uterine coils, etc.

89. Accordingly, improving women's knowledge and providing them with the means of family planning are one of the priority tasks of the programme to improve the health of all citizens by 2000.

90. The State is now directing its efforts to solving the following problems, which have a direct impact on the morbidity and mortality rates of children and women:

- Establishment of a family planning service on an interdepartmental basis;
- Further development and improvement of the reproductive health services available to the people;
- Introduction of new methods of diagnosis and treatment of complications in pregnancy and childbirth;
- Further development of specialized forms of medical care for women and children;
- Establishment of perinatal centres with a view to improvement of the medical care of newborn babies, especially in cases of illness or premature birth;
- The equipment of children's and maternity clinics with modern resuscitation breathing apparatus and the means of preventing illness and disability among children.

C. Employment

91. The basic principle of State employment policy is to guarantee equal opportunities to all citizens, regardless of origins, social status or wealth, race and national affinity, sex, age, political beliefs and attitude to religion, in the exercise of the right to free choice of work in accordance with

a person's capacity and vocational training and taking into account his or her personal interests and social needs.

92. In 1980 Ukraine's economically active population totalled 25 million, in 1985 - 25.8 million, in 1990 - 25.7 million, and in 1992 - 24.6 million, with the proportion of women varying between 52 and 53 per cent.

Distribution of blue-collar and white-collar workers by branch of the economy
(per cent)

	1979			1989		
	Total	Men	Women	Total	Men	Women
Agriculture and forestry	24.7	25.9	23.6	19.9	23.4	16.1
Industry, construction, transport and communication	46.4	55.7	37.3	47.0	55.5	38.2
Trade, public catering, provision of goods and services, sales and procurement	7.2	3.1	11.1	7.3	3.4	11.4
Health, physical culture and social services, culture and art, science and scientific services	14.0	7.5	20.8	16.6	8.6	24.8
Other branches	7.7	7.8	7.2	9.2	9.1	9.5

93. Recent years have seen changes in the structure of employment. In 1991-1992 the number of citizens employed in the national economy declined by 1.4 million and the number of unemployed persons increased; hidden unemployment also increased, as did the proportion of women taking leave to care for children aged under three and performing domestic work. In 1992 the proportion of women in the total employed population stood at 51 per cent; in industry - 49 per cent; in agriculture - 41 per cent; in construction - 29 per cent; in commerce and public catering - 72 per cent; in computer services - 78 per cent; in medicine - 80 per cent; in education and culture - 66 per cent; and in government services - 58 per cent. Women aged 30-50 constitute the largest economically active group, with more than 90 per cent of the total. Up to the age of 30 many of them are completing their studies or taking leave to care for children; after age 50-55, on reaching pensionable age, two thirds of women retire. Between the ages of 60 and 65 only 15 per cent of women continue to work; in the 65-69 age group - 8 per cent, and women aged over 70 - about 2 per cent.

94. The labour legislation of Ukraine protects the right of women to work and enjoy all the benefits available to working women.

95. The regulations on the terms and conditions of work by women with children who are employed for shorter working hours have secured fairly broad application in Ukraine. In accordance with these regulations and the corresponding article of the Code of Labour Laws, women with children may at their request be afforded the opportunity of working shorter hours. In 1981 the proportion of such women was 0.8 per cent, but by the beginning of 1994 it had risen to over 2 per cent (234,000 women). The number of men employed for a shorter working day or week totals about 72,000.

96. Despite the decisions taken by the Government and the comprehensive measures introduced, more than half a million women are employed in industry in conditions which do not meet the health and hygiene standards, more than 24,000 do heavy physical work and more than a million work in hazardous conditions entitling them to additional leave and shorter working hours. Most agricultural workers are women, especially in horticulture, vegetable-growing and the other sectors using mainly manual labour. On collective farms more than 40 per cent of the workers doing heavy physical labour are women. More than 4 per cent of all the women employed in industry work night shifts; in transport - 9.6 per cent, in communications - 3.5 per cent, in construction - over 1.6 per cent, and on collective farms - 1.4 per cent.

97. The liberation of women from production work in harmful circumstances is meeting with serious opposition from women themselves: since they cannot earn the amount of money they need by improving their qualifications or changing their jobs, they frequently take jobs with poorer conditions and relatively high pay (in some cases with preferential work schedules and pension entitlements).

98. In the circumstances of the economic crisis in Ukraine the cash contribution of women to the family income is becoming increasingly essential. And there is over-employment of women in many branches of the national economy, especially in farming. According to data of the Institute of Agrarian Economics of the Ukrainian Academy of Agrarian Sciences, rural women work at production activities for 265 to 270 days a year, i.e. for the total number of days which can realistically be worked in a year. The daily expenditure of female labour in the subsidiary economy amounts to two to four hours depending on the region, or an average of 126 eight-hour days a year. Accordingly, the total expenditure of female labour in production activities and in the private subsidiary economy amounts to 350 eight-hour days a year. In addition, three hours and 45 minutes are spent on working days and six hours on rest days in caring for family and home. Rural women work almost 16 hours a day, which is twice as much as the physiologically acceptable work standard.

99. There is also a serious problem of hidden unemployment. Regional surveys carried out at the end of 1993 showed that up to 1.6 million people are taking compulsory unpaid leave at various periods or working a short week. About half of them are women. These processes are monitored by the approximately 700 employment offices operated by the labour service of the Ministry of Labour of Ukraine, which determine as part of this research the potential increase in the numbers of unemployed citizens. This service deals with all the questions relating to employment.

100. In 1991 460,000 unemployed citizens sought work in the labour market; in 1992 - 558,000; and in 1993 - 558,000; the proportion of women was respectively 48 per cent, 56 per cent and 59 per cent, i.e. it steadily increased.

101. With the return of deported citizens, the issue of their employment is becoming an urgent one. Of the 255,000 Crimean Tartars who returned to the Republic of Crimea, 100,000 are potentially economically active. Forty-five per cent of them do not have jobs. This is partly due to the fact that they are busy resettling in their new places of residence and building their own housing. More than 50 per cent of the women are temporarily without jobs.

102. Under the State employment programme for the Republic of Crimea, six districts and the town of Simferopol are assigned to the priority development areas within which job creation is promoted by the State, using primarily the resources of the employment promotion fund.

103. The State is paying particular attention to citizens who cannot compete in the labour market and need official assistance in finding work. Additional guarantees of employment are provided for women of working age who need social assistance, i.e. women with children aged under six years, single mothers with children aged under 14 or disabled children, girls and women who have completed their general education or vocational training but have not obtained jobs, other persons aged under 21, women of pre-pensionable age (53 years), and persons who for acceptable reasons have been out of work for more than a year. For these purposes, in accordance with the Employment Act the local authorities protect up to 5 per cent of the total number of jobs in enterprises, institutions and organizations, including jobs subject to flexible working.

104. The Act also provides sanctions in the event of non-compliance by enterprises with its relevant provisions. In the event of refusal by enterprises, institutions or organizations to accept citizens enjoying additional employment guarantees, they must pay a fine equal to the average annual wage for each refusal. The amounts obtained in this way are transferred to the State employment promotion fund and used to finance the creation by enterprises of jobs for socially vulnerable population groups above the established quota. In 1993 38,000 women, or 39 per cent of the total finding work, were provided with protected jobs under the 5 per cent-quota scheme.

105. In comparison with men, women show greater occupational mobility and are more likely to engage in socially useful work. For example, about 8 per cent of the women registered with the employment service underwent retraining, while the figure for men was 5 per cent.

106. Owing to the fact that the labour market has been functioning for such a short time in Ukraine, some aspects of the work of the State employment service have still not yet been properly developed. However, vigorous action is being taken, with the assistance of the Government, in the areas of employment and social protection of citizens and improvement of the structure and equipment of the service.

VIII. VIOLENCE AGAINST WOMEN

107. Rape of women is one of the most insulting and repulsive ways in which sexual inequality can manifest itself. In 1993 more than 2,000 rapes were registered in Ukraine, including 900 cases of unnatural sexual relations, 80 cases of intercourse with prepubescent children, and 260 cases of corruption of minors. The victims of these sex crimes included 30 murdered women.

108. Low incomes, lack of vocational training, violence in the family and other factors can set women, especially young ones, on the path of prostitution. Ukraine does not have national statistics to illustrate the scale of this phenomenon.

109. The Interpol national office in Ukraine is receiving increasing numbers of reports from foreign law-enforcement agencies, notably from Turkey, Italy, Bulgaria, Cyprus, Netherlands, Israel, Peru and the countries of the former Yugoslavia, concerning the arrest of female nationals of Ukraine who for various reasons have gone to foreign countries where, under coercion or because they lack the means of subsistence, they engage in prostitution, fraud and other crimes. Such reports have been received concerning 46 women from all regions of Ukraine. In January of this year alone, 11 women from Ukraine were arrested in Turkey for engaging in prostitution and unlawful activity. In many cases this information points to an organized trade in persons - a criminal activity previously unknown in Ukraine. Coordinated work by Dutch and Ukrainian law-enforcement agencies led to the detection of a criminal group which, while ostensibly hiring people for impressive-sounding jobs, recruited young Ukrainian women and transported them abroad where they were forced to engage in prostitution.

110. There are cases of women who travelled abroad to engage in prostitution and disappeared without trace. This year six cases have been recorded of women who went abroad and are now missing (five in Turkey and one in Hungary).

111. There are no statistics on violence against women in the family. Such incidents become worthy of publicity only if they involve court proceedings.

112. Women's organizations are too few in number and lack the funds to offer assistance to women victims of violence in the family. Ukraine does not have any shelters where women who have run away from home can stay for a while with their children.

113. Action is being taken in Ukraine to eliminate violence against women and improve their situation. In June 1993 the Supreme Council of Ukraine approved the State anti-crime programme for 1993-1995 which covers these issues. Work is being concluded on a new version of the Criminal Code and Code of Criminal Procedure. Ukraine has concluded agreements with the corresponding government agencies of Poland, Romania, Bulgaria, Germany, Austria and all the countries of the Commonwealth of Independent States concerning joint action against crime and provision of legal assistance. The Interpol office in Ukraine, which was established in 1993, is also active in these areas. This work is producing positive results, and a downturn in this kind of crime has been observed.

IX. IMPACT ON WOMEN OF NATIONAL AND INTERNATIONAL ARMED AND OTHER KINDS OF CONFLICT

114. Ukraine is not involved in any international armed conflicts, and there are no inter-nationality conflicts in its territory. However, armed conflicts, the primary victims of which are women and children, have taken place and are still taking place close to its borders (in the Pridnestrove region). From March to October 1992 Ukraine received more than 61,000 refugees from the republics of the former USSR and Yugoslavia, where the Ukrainian diaspora lives, including some 30,000 children from conflict areas in the Republic of Moldova. The year 1993 saw the return home of 5,700 Ukrainian nationals, including 1,700 children, who had been forced to leave their places of permanent residence in conflict areas in Azerbaijan, Armenia, Georgia, Tajikistan, and the Russian Federation (North Ossetia, Ingushetia). By 1 January 1994 about 13,000 people had applied to the Ukrainian authorities for refugee status. Most of them were families with children. Questions of housing, provision of material and financial aid, and employment of returnees are dealt with at the regional governmental level with funding from local budgets. Some assistance is provided by the enterprises where the refugees work. Specific assistance for refugees of Ukrainian origin in Yugoslavia has been provided by non-governmental organizations and the Red Cross. In summer 1993 humanitarian aid worth 20 million roubles was sent to Yugoslavia. The Lvovsk, Ternopolsk and Ivano-Frankovsk districts have received 300 Ukrainian children from Bosnia to give them a holiday. There is a plan to bring children and young people to study in Ukraine. However, the economic crisis and the difficult financial situation make it impossible to offer the refugees more tangible assistance.

115. The Supreme Council recognizes Ukraine's obligations; in December 1993 it adopted a law on refugees, and it is now drafting subsidiary legislation, seeking financial resources and preparing a draft text on the creation of a special State service whose area of competence will include reception and other arrangements for refugees.

X. CONCLUSION

116. Ukraine gives close attention to international cooperation to protect women's rights and ensure their full participation in political, economic, social and cultural life. It has ratified or acceded to a number of international instruments on the elimination of discrimination against women. Ukraine was one of the first countries to sign and ratify the Convention on the Elimination of All Forms of Discrimination against Women. It is also a party to such instruments as the International Covenants on Human Rights, the Convention on the Political Rights of Women, the Convention on the Nationality of Married Women, the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, the International Convention on the Elimination of All Forms of Racial Discrimination, the conventions of the International Labour Organization concerning the employment of women on underground work in mines of all kinds, equal pay for equal work, and the protection of mothers, the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization (UNESCO), etc.

The Constitution of Ukraine guarantees enjoyment of all the rights set forth in the international human rights instruments.

117. The broad range of rights guaranteed to women nationals of Ukraine is constantly being extended and enriched in step with the implementation of programmes of social, economic and cultural development and with the growth in the material and spiritual potential of society.